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Generation and Transmission Cooperative, Inc.*

BEFORE THE BOARD OF ENVIRONMENTAL REVIEW  
OF THE STATE OF MONTANA

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IN THE MATTER OF THE	)	Case No. BER 2007-07 AQ
AIR QUALITY PERMIT FOR THE	)	
HIGHWOOD GENERATING STATION	)	
(PERMIT NO. 3423-00)	)	

**SECOND REVISED JOINT STIPULATED EXHIBIT LIST**

The Montana Department of Environmental Quality (“Department”), Southern  
Montana Electric Generation and Transmission Cooperative, Inc. (SME), and the

Montana Environmental Information Center and Citizens for Clean Energy (collectively the “Petitioners”)<sup>1</sup> hereby submit the following Second Revised Joint Stipulated Exhibit List. The Parties stipulate to the admissibility of the below exhibits, but reserve the right to make objections as to relevance at the time of the hearing. For purposes of providing the Board with an electronic version of stipulated exhibits prior to the hearing, the parties request that the below listed documents and this Joint Exhibit List be uploaded to the BER's computer system.

### **EXHIBITS**

<b>Party's/ Parties Proposed Exhibit Number</b>	<b>Description</b>	<b>Caveats</b>
DEQ/SME 1	US EPA New Source Review Workshop Manual, Draft, October 1990, pp. B-1 through B-9.	
DEQ/SME 2 MEIC L	“Interim Implementation of New Source Review requirements for PM <sub>2.5</sub> ,” by John S. Seitz, dated October 23, 1997.	
DEQ/SME 3	“Implementation of New Source Review Requirements in PM-2.5 Nonattainment Areas,” by Stephen D. Page, dated April 5, 2005.	
DEQ/SME 4 MEIC C	Application for Air Quality and Operating Permits, Southern Montana Electric Generation and Transmission Cooperative, dated November 30, 2005, pp. 5-20 through 5-27; 5-44 through 5-51; and App. B-6, pages relating to BACT Determinations Research for PM-10 and particulate constituents.	
DEQ/SME 6 MEIC M	72 Fed. Reg. 20586 (April 25, 2007) with specific reference to page 20,651; and 20653 through 20655.	
DEQ/SME 7	Final Air Quality Permit No. 3423-00, entire Permit, with specific reference to Sections II.C.4 and 5, and entire Permit Analysis, with specific reference to Sections III.A.2, III.A.6, V, and VI.	
DEQ/SME 10	Montana Environmental Information Center's Response to Southern Montana	

<sup>1</sup> SME, DEQ, and MEIC are collectively referred to herein as the "Parties."

	Electric Generation and Transmission Cooperative, Inc.'s First Set of Interrogatories, August 15, 2007, Answers to Interrogatories Nos. 15 and 16	
DEQ/SME 11	"Final Air Pollution Control Prevention of Significant Deterioration (PSD) Permit to Construct, PSD-OU-0002-04.00, Deseret Power Electric Cooperative," dated August 30, 2007, entire permit, with specific reference to pp. i and 7.	
DEQ/SME 12	"Prevention of Significant Deterioration Permit, Final Statement of Basis for Permit No. PSD-OU-0002-04.00, August 30, 2007, Deseret Power Electric Cooperative," pages 24 and 60 through 84.	
DEQ/SME 13	"Response to Public Comments on Draft Air Pollution Control Prevention of Significant Deterioration (PSD) Permit to Construct, Permit No. PSD-OU-0002-04.00, Deseret Power Electric Cooperative," dated August 30, 2007, pages 60 through 64.	
DEQ/SME 14	72 Federal Register 54112, "Prevention of Significant Deterioration (PSD) for Particulate Matter Less Than 2.5 Micrometers (PM <sub>2.5</sub> )—Increments, Significant Impact Levels (SILs) and Significant Monitoring Concentration (SMC); Proposed Rule," dated September 21, 2007 with specific reference to 54,114; 54,116; and 54,126.	
DEQ/SME 16	May 1, 2006, letter from Bison Engineering to Eric Merchant, pages 1-3, with specific reference to Section 8 of the letter.	
DEQ/SME 17	May 15, 2007, letter from Eric Merchant to Tim Gregori, pages 1-3 with specific reference to Section 8 of the letter.	
DEQ/SME 18	72 Fed. Reg. 27178, 27188, "Proposed Rule, Standards of Performance for Petroleum Refineries," dated May 14, 2007.	
DEQ/SME Demonstrative	Diagram of BACT Steps	
MEIC D	Draft Memorandum to Christine Weaver, Re: major Concerns Stemming from Discussion of Draft Department Decision on Southern Montana Electric Generation and Transmission Cooperative Highwood Generating Station Air Quality Permit #3423-00, (March 8, 2007).	Parties stipulate only to the admissibility of the paragraph beginning, "Filterable PM Limit" on the first page, second bullet
MEIC F	Exhibit 68 to Deposition of Joseph Lierow (Email July 18, 2005 from Joe Lierow to Ray Walters).	
MEIC G	Exhibit 69 to Deposition of Joseph Lierow (Email July 27, 2005 from Joe Lierow to Ray Walters).	
MEIC J	Montana Department Of Environmental	

	Quality's Responses To First Set Of Interrogatories, Requests For Admission, And Requests For Production To The Montana Department of Environmental Quality by CCE and MEIC (August 14, 2007). Excerpt (pp. 18-19).	
MEIC L	Proposed Rule, 70 Fed. Reg. 65,984 (Nov. 1, 2005) with specific reference to pages specific reference to 65,984; 66,043-66,045; and 66049-66052.	
MEIC N	Email from Dave Klemp to Richard Oppen, Re: SME Meeting (April 2, 2007).	
MEIC O	Email from Eric Merchant to Kenneth A. Reich, Tim Gregori, Joe Lierow, Mike McCarter, and Kevin Cavanaugh, Re: Alternate Method 202: Final Permit Analysis Language (April 6, 2007).	
MEIC P	Email from Jeff Chaffee to Dan Walsh, Re: SME PM10 Condensable Issue (April 27, 2007).	
MEIC Q	Environmental Protection Agency, Conditional Test Method (CTM 039) (July 2004) (available at <a href="http://www.epa.gov/ttn/emc/ctm/ctm-039.pdf">http://www.epa.gov/ttn/emc/ctm/ctm-039.pdf</a> ).	
MEIC R	Environmental Protection Agency, Conditional Test Method (CTM 040) (December 3, 2002) (available at <a href="http://www.epa.gov/ttn/emc/ctm/ctm-040.pdf">http://www.epa.gov/ttn/emc/ctm/ctm-040.pdf</a> ).	
MEIC S	Environmental Protection Agency, Highlights of the Emissions Measurement Center's Activities for 2005/2006 (March 5, 2006) (available at <a href="http://www.epa.gov/ttn/emc/news/highlights-2006.pdf">http://www.epa.gov/ttn/emc/news/highlights-2006.pdf</a> ).	
MEIC U	Highwood Generating Station, Final Environmental Impact Statement (January 2007). Excerpt. (Figure 2-29).	

Dated this 19th day of January, 2008.

DEPARTMENT OF ENVIRONMENTAL  
QUALITY

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SOUTHERN MONTANA ELECTRIC  
GENERATION AND TRANSMISSION  
COOPERATIVE, INC.

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/s/ Kenneth A. Reich  
Michael McCarter  
Kenneth A. Reich

PETITIONERS

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